



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 26, 2021

Mr. Douglas P. Ray
Senior Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2021-29445

Dear Mr. Ray:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 912394 (GOV QA Ref. No. R033788).

The City of Houston (the "city") received a request for the responses submitted in response to a specified request for proposals by two specified third parties and discount and pricing information submitted by all third parties in response to the specified request for proposals. You claim the requested information is subject to a previous determination by our office. We have considered your argument.

You state the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2021-21303 (2021). In that ruling, we determined the city must: (1) withhold all public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy; (2) withhold the insurance policy numbers in the information at issue under section 552.136 of the Government Code; and (3) release the remaining information; however, any information that is subject to copyright may be released only in accordance with copyright law. In addition, we find the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2021-28238 (2021). In that ruling, we determined the city must: (1) withhold certain information under section 552.110(c) of the Government Code; however, to the extent the customer information at issue is publicly available, it may not be withheld under section 552.110(c); (2) withhold all insurance policy numbers in the remaining information under section 552.136 of the Government Code; and (3) release the remaining information. You state

there has not been any change in the law, facts, or circumstances on which the previous rulings were based. Accordingly, the city must rely on Open Records Letter Nos. 2021-21303 and 2021-28238 as previous determinations and withhold or release the identical information in accordance with those rulings. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Tim Neal
Assistant Attorney General
Open Records Division

TN/jm

Ref: ID# 912394

c: Requestor